

AMENDED IN SENATE APRIL 25, 2016

AMENDED IN SENATE APRIL 13, 2016

**SENATE BILL**

**No. 1235**

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**Introduced by Senator De León**

February 18, 2016

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An act to amend ~~Section 16150~~ of Sections 11106, 16150, 17315, 30000, and 30306 of, to add Section 16151 to, to add Article 4 (commencing with Section 30355) and Article 5 (commencing with Section 30360) to Chapter 1 of Division 10 of Title 4 of Part 6 of, to repeal Sections 16662 and 30312 of, and to repeal and add Article 3 (commencing with Section 30345) of Chapter 1 of Division 10 of Title 4 of Part 6 of, the Penal Code, relating to ammunition.

LEGISLATIVE COUNSEL'S DIGEST

SB 1235, as amended, De León. Ammunition.

(1) Existing law requires the Attorney General to maintain records, including, among other things, fingerprints, licenses to carry concealed firearms, and information from firearms dealers pertaining to firearms, for purposes of assisting in the investigation of crimes and specified civil actions. In regard to certain of those records, existing law authorizes specified peace officers to disseminate the name of the subject of the record, the number of firearms listed in the record, the description of any firearm, and other information reported to the Department of Justice, as specified, if the subject of the record has been arraigned, is being prosecuted, or is serving a sentence for domestic violence or is the subject of specified protective orders. Existing law requires the law enforcement officer to provide a victim of domestic violence to whom information is disseminated with a "Victims of Domestic Violence" card, and authorizes the victim or other person to whom the information

*is disseminated to disclose that information as he or she deems necessary to protect himself, herself, or another person from bodily harm by the person who is the subject of the record.*

*This bill would require the Attorney General to also maintain information about ammunition transactions and ammunition vendor licenses for those purposes. This bill would similarly authorize specified agencies, officials, and officers to disseminate the name of a person and the fact of any ammunition purchases by that person, as specified, if the subject of the record has been arraigned, is being prosecuted, or is serving a sentence for domestic violence or is the subject of specified protective orders. The bill would require the law enforcement officer to provide a victim of domestic violence to whom information is disseminated with a “Victims of Domestic Violence” card, and would authorize the victim or other person to whom the information is disseminated to disclose that information as he or she deems necessary to protect himself, herself, or another person from bodily harm by the person who is the subject of the record.*

*By imposing new duties on local law enforcement officers, this bill would impose a state-mandated local program.*

~~Existing~~

*(2) Existing law defines the term “ammunition” for certain prohibited ammunition transactions to mean ammunition principally for use in handguns, as specified. Existing law makes the violation of those prohibited transactions a crime.*

*This bill would instead define the term “ammunition” for those and other purposes to mean one or more loaded cartridges consisting of a primer case, propellant, and with one or more projectiles.*

*By expanding the scope of an existing crime, this bill would impose a state-mandated local program.*

*(3) Existing law, subject to exceptions, requires that the delivery or transfer of ownership of handgun ammunition occur only in a face-to-face transaction and makes a violation of this requirement a crime.*

*This bill would extend those provisions, subject to exceptions, to any ammunition and would reorganize those provisions.*

*(4) Existing law provides that the term “vendor” for purposes of ammunition sales is a “handgun ammunition vendor” as defined for those and other purposes.*

*This bill would provide that the term “vendor” for purposes of ammunition sales means “ammunition vendor” and, commencing*

*January 1, 2018, means a licensed ammunition vendor. The bill would provide that commencing on January 1, 2018, only a licensed ammunition vendor may sell ammunition. The bill would revise the definition of “ammunition” for those purposes.*

*(5) Existing law establishes the Prohibited Armed Persons File, the purpose of which is to cross-reference persons prohibited from possessing firearms with records of firearm transactions to determine if these persons have acquired or attempted to acquire firearms. Under existing law, a person who is prohibited from owning or possessing a firearm is prohibited from owning, possessing, or having under his or her custody or control any ammunition or reloaded ammunition.*

*This bill would, commencing July 1, 2019, use the Prohibited Armed Persons File to cross-reference persons who attempt to acquire ammunition, as specified, to determine if those persons are prohibited from possessing ammunition.*

*(6) Existing law makes it a crime for a person, corporation, or firm to provide ammunition, as specified, to an individual that the person, corporation, or firm knows or should know is prohibited from possessing or owning ammunition.*

*This bill would apply that prohibition to other business enterprises. The bill would make it a crime for a person, corporation, firm, or other business enterprise to provide, as specified, ammunition to an individual that the person, corporation, firm, or other business entity knows or has cause to believe is not the actual purchaser or transferee of the ammunition, or knows or has cause to believe that the ammunition is to be sold or transferred to a person prohibited from possessing or owning ammunition.*

*(7) Existing law prohibits an ammunition vendor from allowing a person the vendor knows or should know is a person who is prohibited from possessing firearms, for specified reasons, from handling, selling, or delivering handgun ammunition in the course and scope of his or her employment. Existing law prohibits an ammunition vendor from selling or otherwise transferring ownership of, offering for sale or otherwise offering to transfer ownership of, or displaying for sale or displaying for transfer of ownership of, any handgun ammunition in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor.*

*This bill would extend those prohibitions to any ammunition. The bill would require that when neither party to the ammunition transaction*

*is an ammunition dealer, the transaction be conducted by an ammunition dealer. The bill would, subject to exceptions, require a resident bringing ammunition into the state to have the ammunition delivered to an ammunition dealer for delivery to the person, as specified. The bill would provide that a violation of these provisions is a crime.*

*(8) Existing law, subject to exceptions, requires a handgun ammunition vendor to record specified information at the time of delivery of handgun ammunition to a purchaser, as specified.*

*This bill would extend those provisions to transactions of any ammunition and would, commencing on July 1, 2019, require the ammunition vendor to submit that information to the Department of Justice, as specified. The bill would require the department to retain the information for 2 years in a database to be known as the Ammunition Purchase Records File and would prescribe the authority of the department and other entities to use the file, as specified. The bill would, commencing on July 1, 2019, and subject to exceptions, require the purchaser of ammunition to be authorized to purchase ammunition by the department, as specified. The bill would require the department to cross-reference the Prohibited Armed Persons File and the Automated Firearms System for those transaction purposes. The bill would require, commencing on July 1, 2019, and subject to exceptions, that only persons listed in the Automated Firearms System, or who purchase a one-time ammunition transaction license from the department, would be able to purchase ammunition. A violation of these provisions would be a crime.*

*The bill would authorize the department to accept applications for ammunition vendor licenses, commencing on July 1, 2017. The bill would require an ammunition vendor to be licensed, commencing on January 1, 2018, in order to sell ammunition. The bill would create an application process for ammunition vendors, as specified. The bill would establish the Ammunition Special Account, into which vendor license fees would be deposited and made available, upon appropriation by the Legislature, to the department for purposes of enforcing the ammunition vendor licensing provisions. The bill would require the ammunition vendor to conduct business at the location specified in the license, except in the case of gun shows or events, as specified. The bill would require ammunition sales at a gun show or event to comply with certain requirements pertaining to ammunition transfers and recordkeeping, the violation of which is a crime.*

(9) *By expanding existing crimes and creating new crimes, this bill would impose a state-mandated local program.*

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

(10) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.*

*With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 11106 of the Penal Code is amended to  
2     read:

3     11106. (a) (1) In order to assist in the investigation of crime,  
4     the prosecution of civil actions by city attorneys pursuant to  
5     paragraph (3) of subdivision (b), the arrest and prosecution of  
6     criminals, and the recovery of lost, stolen, or found property, the  
7     Attorney General shall keep and properly file a complete record  
8     of all of the following:

9     (A) All copies of fingerprints.

10    (B) Copies of licenses to carry firearms issued pursuant to  
11    Section 26150, 26155, 26170, or 26215.

12    (C) Information reported to the Department of Justice pursuant  
13    to Section 26225, 27875, 27920, or 29830.

14    (D) Dealers' records of sales of firearms.

15    (E) Reports provided pursuant to Article 1 (commencing with  
16    Section 27500) of Chapter 4 of Division 6 of Title 4 of Part 6, or  
17    pursuant to any provision listed in subdivision (a) of Section 16585.

1 (F) Forms provided pursuant to Section 12084, as that section  
2 read prior to being repealed on January 1, 2006.

3 (G) Reports provided pursuant to Article 1 (commencing with  
4 Section 26700) and Article 2 (commencing with Section 26800)  
5 of Chapter 2 of Division 6 of Title 4 of Part 6, that are not dealers'  
6 records of sales of firearms.

7 (H) Information provided pursuant to Section 28255.

8 (I) Reports of stolen, lost, found, pledged, or pawned property  
9 in any city or county of this state.

10 (J) *Ammunition vendor license information pursuant to Article*  
11 *3 (commencing with Section 30345) of Chapter 1 of Division 10*  
12 *of Title 4 of Part 6.*

13 (K) *Information required by Section 30369.*

14 (2) The Attorney General shall, upon proper application therefor,  
15 furnish the information to the officers referred to in Section 11105.

16 (b) (1) The Attorney General shall permanently keep and  
17 properly file and maintain all information reported to the  
18 Department of Justice pursuant to the following provisions as to  
19 firearms and maintain a registry thereof:

20 (A) Article 1 (commencing with Section 26700) and Article 2  
21 (commencing with Section 26800) of Chapter 2 of Division 6 of  
22 Title 4 of Part 6.

23 (B) Article 1 (commencing with Section 27500) of Chapter 4  
24 of Division 6 of Title 4 of Part 6.

25 (C) Chapter 5 (commencing with Section 28050) of Division 6  
26 of Title 4 of Part 6.

27 (D) Any provision listed in subdivision (a) of Section 16585.

28 (E) Former Section 12084.

29 (F) Section 28255.

30 (G) Any other law.

31 (2) The registry shall consist of all of the following:

32 (A) The name, address, identification of, place of birth (state  
33 or country), complete telephone number, occupation, sex,  
34 description, and all legal names and aliases ever used by the owner  
35 or person being loaned the particular firearm as listed on the  
36 information provided to the department on the Dealers' Record of  
37 Sale, the Law Enforcement Firearms Transfer (LEFT), as defined  
38 in former Section 12084, or reports made to the department  
39 pursuant to any provision listed in subdivision (a) of Section 16585,  
40 Section 28255, or any other law.

1 (B) The name and address of, and other information about, any  
2 ~~person (whether~~ *person, whether* a dealer or a private-party party,  
3 from whom the owner acquired or the person being loaned the  
4 particular firearm and when the firearm was acquired or loaned as  
5 listed on the information provided to the department on the Dealers'  
6 Record of Sale, the LEFT, or reports made to the department  
7 pursuant to any provision listed in subdivision (a) of Section 16585  
8 or any other law.

9 (C) Any waiting period exemption applicable to the transaction  
10 which resulted in the owner of or the person being loaned the  
11 particular firearm acquiring or being loaned that firearm.

12 (D) The manufacturer's name if stamped on the firearm, model  
13 name or number if stamped on the firearm, and, if applicable, the  
14 serial number, other number ~~(if if~~ *if* more than one serial number is  
15 stamped on the ~~firearm~~ *firearm*, caliber, type of firearm, if the  
16 firearm is new or used, barrel length, and color of the firearm, or,  
17 if the firearm is not a handgun and does not have a serial number  
18 or any identification number or mark assigned to it, that shall be  
19 noted.

20 (3) Information in the registry referred to in this subdivision  
21 shall, upon proper application therefor, be furnished to the officers  
22 referred to in Section 11105, to a city attorney prosecuting a civil  
23 action, solely for use in prosecuting that civil action and not for  
24 any other purpose, or to the person listed in the registry as the  
25 owner or person who is listed as being loaned the particular firearm.

26 (4) If any person is listed in the registry as the owner of a firearm  
27 through a Dealers' Record of Sale prior to 1979, and the person  
28 listed in the registry requests by letter that the Attorney General  
29 store and keep the record electronically, as well as in the record's  
30 existing photographic, photostatic, or nonerasable optically stored  
31 form, the Attorney General shall do so within three working days  
32 of receipt of the request. The Attorney General shall, in writing,  
33 and as soon as practicable, notify the person requesting electronic  
34 storage of the record that the request has been honored as required  
35 by this paragraph.

36 (c) (1) If the conditions specified in paragraph (2) are met, any  
37 officer referred to in paragraphs (1) to (6), inclusive, of subdivision  
38 (b) of Section 11105 may disseminate the name of the subject of  
39 the record, the *fact of any ammunition purchases by that person*  
40 *based on information supplied to the department pursuant to*

1 *Section 30352, the number of the firearms listed in the record, and*  
2 *the description of any firearm, including the make, model, and*  
3 *caliber, from the record relating to any firearm’s sale, transfer,*  
4 *registration, or license record, or any information reported to the*  
5 *Department of Justice pursuant to any of the following:*

6 (A) Section 26225, 27875, or 27920.

7 (B) Article 1 (commencing with Section 26700) and Article 2  
8 (commencing with Section 26800) of Chapter 2 of Division 6 of  
9 Title 4 of Part 6.

10 (C) Article 1 (commencing with Section 27500) of Chapter 4  
11 of Division 6 of Title 4 of Part 6.

12 (D) Chapter 5 (commencing with Section 28050) of Division  
13 6 of Title 4 of Part 6.

14 (E) Article 2 (commencing with Section 28150) of Chapter 6  
15 of Division 6 of Title 4 of Part 6.

16 (F) Article 5 (commencing with Section 30900) of Chapter 2  
17 of Division 10 of Title 4 of Part 6.

18 (G) Chapter 2 (commencing with Section 33850) of Division  
19 11 of Title 4 of Part 6.

20 (H) Any provision listed in subdivision (a) of Section 16585.

21 (2) Information may be disseminated pursuant to paragraph (1)  
22 only if all of the following conditions are satisfied:

23 (A) The subject of the record has been arraigned for a crime in  
24 which the victim is a person described in subdivisions (a) to (f),  
25 inclusive, of Section 6211 of the Family Code and is being  
26 prosecuted or is serving a sentence for the crime, or the subject of  
27 the record is the subject of an emergency protective order, a  
28 temporary restraining order, or an order after hearing, which is in  
29 effect and has been issued by a family court under the Domestic  
30 Violence—~~Protection~~ *Prevention* Act set forth in Division 10  
31 (commencing with Section 6200) of the Family Code.

32 (B) The information is disseminated only to the victim of the  
33 crime or to the person who has obtained the emergency protective  
34 order, the temporary restraining order, or the order after hearing  
35 issued by the family court.

36 (C) Whenever a law enforcement officer disseminates the  
37 information authorized by this subdivision, that officer or another  
38 officer assigned to the case shall immediately provide the victim  
39 of the crime with a “Victims of Domestic Violence” card, as



1 specified in subparagraph (H) of paragraph (9) of subdivision (c)  
2 of Section 13701.

3 (3) The victim or person to whom information is disseminated  
4 pursuant to this subdivision may disclose it as he or she deems  
5 necessary to protect himself or herself or another person from  
6 bodily harm by the person who is the subject of the record.

7 **SECTION 1.**

8 *SEC. 2.* Section 16150 of the Penal Code is amended to read:

9 16150. (a) As used in this part, except as specified in  
10 subdivision (b), “ammunition” means one or more loaded cartridges  
11 consisting of a primer case, propellant, and with one or more  
12 projectiles. “Ammunition” does not include blanks.

13 (b) As used in subdivision (a) of Section 30305 and in Section  
14 30306, “ammunition” includes, but is not limited to, any bullet,  
15 cartridge, magazine, clip, speed loader, autoloader, or projectile  
16 capable of being fired from a firearm with a deadly consequence.  
17 “Ammunition” does not include blanks.

18 ~~*SEC. 2.* No reimbursement is required by this act pursuant to~~  
19 ~~Section 6 of Article XIII B of the California Constitution because~~  
20 ~~the only costs that may be incurred by a local agency or school~~  
21 ~~district will be incurred because this act creates a new crime or~~  
22 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
23 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
24 ~~the Government Code, or changes the definition of a crime within~~  
25 ~~the meaning of Section 6 of Article XIII B of the California~~  
26 ~~Constitution.~~

27 *SEC. 3.* Section 16151 is added to the Penal Code, to read:

28 16151. Commencing January 1, 2018, as used in this part,  
29 “ammunition vendor” means any person, firm, corporation, dealer,  
30 or any other business who has a current ammunition vendor license  
31 issued pursuant to Section 30345.

32 *SEC. 4.* Section 16662 of the Penal Code is repealed.

33 ~~16662. As used in this part, “handgun ammunition vendor”~~  
34 ~~means any person, firm, corporation, dealer, or any other business~~  
35 ~~enterprise that is engaged in the retail sale of any handgun~~  
36 ~~ammunition, or that holds itself out as engaged in the business of~~  
37 ~~selling any handgun ammunition.~~

38 *SEC. 5.* Section 17315 of the Penal Code is amended to read:

39 17315. As used in Article 2 (commencing with Section 30300),  
40 Article 3 (commencing with Section ~~30345~~) 30345), Article 4

1 (*commencing with Section 30355*), and Article 5 (*commencing*  
2 *with Section 30360*) of Chapter 1 of Division 10 of Title 4,  
3 “vendor” means ~~a handgun~~ *an ammunition vendor*.

4 *SEC. 6. Section 30000 of the Penal Code is amended to read:*

5 30000. (a) The Attorney General shall establish and maintain  
6 an online database to be known as the Prohibited Armed Persons  
7 File. The purpose of the file is to cross-reference persons who have  
8 ownership or possession of a firearm on or after January 1, 1996,  
9 as indicated by a record in the Consolidated Firearms Information  
10 System, and who, subsequent to the date of that ownership or  
11 possession of a firearm, fall within a class of persons who are  
12 prohibited from owning or possessing a firearm.

13 *(b) Commencing July 1, 2019, the file shall also be used to*  
14 *cross-reference persons who attempt to acquire ammunition to*  
15 *determine if those persons fall within a class of persons who are*  
16 *prohibited from owning or possessing ammunition.*

17 ~~(b)~~

18 *(c) The information contained in the Prohibited Armed Persons*  
19 *File shall only be available to those entities specified in, and*  
20 *pursuant to, subdivision (b) or (c) of Section 11105, through the*  
21 *California Law Enforcement Telecommunications System, for the*  
22 *purpose of determining if persons are armed and prohibited from*  
23 *possessing firearms.*

24 *SEC. 7. Section 30306 of the Penal Code is amended to read:*

25 30306. (a) Any person, corporation, *firm*, or ~~firm~~ *other*  
26 *business enterprise* who supplies, delivers, sells, or gives  
27 possession or control of, any ammunition to any person who he  
28 or she knows or using reasonable care should know is prohibited  
29 from owning, possessing, or having under custody or control, any  
30 ammunition or reloaded ammunition pursuant to subdivision (a)  
31 or (b) of Section 30305, is guilty of a misdemeanor, punishable  
32 by imprisonment in a county jail not exceeding one year, or a fine  
33 not exceeding one thousand dollars (\$1,000), or by both that fine  
34 and imprisonment.

35 *(b) Any person, corporation, firm, or other business enterprise*  
36 *who supplies, delivers, sells, or gives possession or control of, any*  
37 *ammunition to any person who the person, corporation, firm, or*  
38 *other business enterprise knows or has cause to believe is not the*  
39 *actual purchaser or transferee or has cause to believe is not the*  
40 *actual purchaser or transferee of the ammunition, with knowledge*

1 *or cause to believe that the ammunition is to be subsequently sold*  
2 *or transferred to a person who is prohibited from owning,*  
3 *possessing, or having under custody or control any ammunition*  
4 *or reloaded ammunition pursuant to subdivision (a) or (b) of*  
5 *Section 30305, is guilty of a misdemeanor, punishable by*  
6 *imprisonment in a county jail not exceeding one year, or a fine*  
7 *not exceeding one thousand dollars (\$1,000), or by both that fine*  
8 *and imprisonment.*

9 ~~(b)~~

10 (c) The provisions of this section are cumulative and shall not  
11 be construed as restricting the application of any other law.  
12 However, an act or omission punishable in different ways by this  
13 section and another provision of law shall not be punished under  
14 more than one provision.

15 *SEC. 8. Section 30312 of the Penal Code is repealed.*

16 ~~30312. (a) Commencing February 1, 2011, the delivery or~~  
17 ~~transfer of ownership of handgun ammunition may only occur in~~  
18 ~~a face-to-face transaction with the deliverer or transferor being~~  
19 ~~provided bona fide evidence of identity from the purchaser or other~~  
20 ~~transferee.~~

21 ~~(b) Subdivision (a) shall not apply to or affect the sale, delivery,~~  
22 ~~or transfer of handgun ammunition to any of the following:~~

23 ~~(1) An authorized law enforcement representative of a city,~~  
24 ~~county, city and county, or state or federal government, if the sale,~~  
25 ~~delivery, or transfer is for exclusive use by that government agency~~  
26 ~~and, prior to the sale, delivery, or transfer of the handgun~~  
27 ~~ammunition, written authorization from the head of the agency~~  
28 ~~employing the purchaser or transferee is obtained, identifying the~~  
29 ~~employee as an individual authorized to conduct the transaction,~~  
30 ~~and authorizing the transaction for the exclusive use of the agency~~  
31 ~~employing the individual.~~

32 ~~(2) A sworn peace officer, as defined in Chapter 4.5~~  
33 ~~(commencing with Section 830) of Title 3 of Part 2 who is~~  
34 ~~authorized to carry a firearm in the course and scope of the officer's~~  
35 ~~duties.~~

36 ~~(3) An importer or manufacturer of handgun ammunition or~~  
37 ~~firearms who is licensed to engage in business pursuant to Chapter~~  
38 ~~44 (commencing with Section 921) of Title 18 of the United States~~  
39 ~~Code and the regulations issued pursuant thereto.~~

~~(4) A person who is on the centralized list maintained by the Department of Justice pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6 of this title.~~

~~(5) A person whose licensed premises are outside this state and who is licensed as a dealer or collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.~~

~~(6) A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.~~

~~(7) A handgun ammunition vendor.~~

~~(8) A consultant-evaluator.~~

~~(e) A violation of this section is a misdemeanor.~~

*SEC. 9. Article 3 (commencing with Section 30345) of Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code is repealed.*

*SEC. 10. Article 3 (commencing with Section 30345) is added to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code, to read:*

### *Article 3. Ammunition Vendor License*

*30345. (a) Commencing January 1, 2018, only an ammunition vendor who is licensed by the Department of Justice shall be authorized to sell ammunition in this state, except as provided by Article 5 (commencing with Section 30360).*

*(b) Subdivision (a) does not apply to the sale of ammunition by any of the following:*

*(1) A commercial hunting club, as defined in Section 3240.5 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.*

*(2) A domesticated game bird hunting club, pursuant to Section 3270 of the Fish and Game Code, provided the ammunition is used and consumed on the licensed premises while engaged in lawful hunting activity.*

*(3) A domesticated migratory game bird shooting club, pursuant to Article 4 (commencing with Section 3300) of Chapter 2 of Part*

1 *1 of Division 4 of the Fish and Game Code, provided the*  
2 *ammunition is used and consumed on the licensed premises while*  
3 *engaged in lawful hunting activity.*

4 *(4) A nonprofit mutual or public benefit corporation organized*  
5 *pursuant to the Corporations Code that engages in recreational*  
6 *shooting and lawful hunting activity provided that the ammunition*  
7 *is used and consumed during the shooting or hunting event*  
8 *conducted by that nonprofit or public benefit corporation.*

9 *(5) A target facility that holds a business or regulatory license*  
10 *provided that the ammunition is at all times kept within the*  
11 *facility's premises and used on the premises.*

12 *(6) A person who sells no more than 50 rounds of ammunition*  
13 *to one vendor in one month or cumulatively sells no more than*  
14 *250 rounds per year to vendors in this state.*

15 *(c) The Department of Justice is authorized to issue ammunition*  
16 *vendor licenses pursuant to this article. The department shall,*  
17 *commencing July 1, 2017, accept applications for ammunition*  
18 *vendor licenses. The department shall issue a license or deny the*  
19 *application for a license within 60 days of receipt of the application*  
20 *in the first two years of implementation, and within 30 days*  
21 *thereafter. If the application is denied, the department shall inform*  
22 *the applicant of the reason for denial in writing.*

23 *(d) The ammunition vendor license shall be issued in a form*  
24 *prescribed by the Attorney General and shall be valid for a period*  
25 *of one year. The license shall allow the licensee to sell ammunition*  
26 *from a fixed location and at any place set forth in subdivision (b)*  
27 *of Section 30365.*

28 *30346. (a) The department may charge ammunition vendor*  
29 *license applicants a fee sufficient to cover the reasonable costs of*  
30 *issuing a certificate of eligibility, as described, except for those*  
31 *persons or entities described in subdivision (d) of Section 30347.*

32 *(b) The fees received by the department pursuant to this article*  
33 *shall be deposited in the Ammunition Special Account, which is*  
34 *hereby created. The revenue in the fund shall be available, upon*  
35 *appropriation by the Legislature, for use by the Department of*  
36 *Justice for the purpose of implementing and enforcing the*  
37 *provisions of this article, Article 4 (commencing with Section*  
38 *30355) and Article 5 (commencing with Section 30360).*

39 *30347. (a) The department is authorized to issue ammunition*  
40 *vendor licenses to ammunition vendors who the department has*

1 *determined are not prohibited by state or federal law from*  
2 *possessing, receiving, owning, or purchasing a firearm, and have*  
3 *a certificate of eligibility issued by the department.*

4 *(b) The department shall require any agent or employee of a*  
5 *vendor who handles, sells, or delivers ammunition to obtain and*  
6 *provide to the ammunition vendor a certificate of eligibility from*  
7 *the Department of Justice pursuant to Section 26710. On the*  
8 *application for the certificate, the agent or employee shall provide*  
9 *the name and California ammunition vendor number of the vendor*  
10 *with whom the person is employed.*

11 *(c) In the case of an entity other than a natural person, the*  
12 *department shall issue the license to the business entity, pursuant*  
13 *to the requirements in subdivisions (a) and (b).*

14 *(d) The department shall, upon request and in a manner*  
15 *prescribed by the department, issue ammunition vendor licenses*  
16 *to the following:*

17 *(1) A firearms dealer licensed pursuant to Sections 26700 to*  
18 *26915, inclusive.*

19 *(2) A person who is on the centralized list of federal firearms*  
20 *licensees maintained by the department pursuant to Article 6*  
21 *(commencing with Section 28450) of Chapter 6 of Division 6.*

22 *(3) A gunsmith as defined in Section 16630.*

23 *(4) A wholesaler as defined in Section 17340.*

24 *(5) A manufacturer or importer of firearms or ammunition*  
25 *licensed pursuant to Chapter 44 (commencing with Section 921)*  
26 *of Title 18 of the United States Code, and the regulations issued*  
27 *pursuant thereto.*

28 *(e) The department shall keep a registry of all licensed*  
29 *ammunition vendors.*

30 *(f) The department shall revoke the license of any ammunition*  
31 *vendor who violates this article, Article 4 (commencing with*  
32 *Section 30355), or Article 5 (commencing with Section 30360) in*  
33 *any combination three times. The ammunition vendor shall*  
34 *thereafter be permanently ineligible for an ammunition vendor*  
35 *license.*

36 *SEC. 11. Article 4 (commencing with Section 30355) is added*  
37 *to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code,*  
38 *to read:*

Article 4. Ammunition Purchase Authorization

30355. (a) Any person who violates any provision of this article is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year, or a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(b) The provisions of this article are cumulative, and shall not be construed as restricting the application of any other law. However, an act or omission punishable in different ways by different provisions of law shall not be punished under more than one provision.

30356. (a) Commencing July 1, 2019, the department shall electronically approve the purchase or transfer of ammunition through a vendor, as defined in Section 16151, except as otherwise specified. This approval shall occur at the time of purchase or transfer, prior to the purchaser or transferee taking possession of the ammunition.

(b) To determine if the purchaser or transferee is eligible to purchase or possess ammunition, the department shall cross-reference the ammunition purchaser's or transferee's name, date of birth, current address, and driver's license or other government identification number, as described in Section 28180, with the information maintained in the Automated Firearms System (AFS). If the purchaser's or transferee's information does not match an AFS entry, the transaction shall be denied. If the purchaser's or transferee's information matches an AFS entry, the department shall determine if the purchaser or transferee falls within a class of persons who are prohibited from owning or possessing ammunition by cross-referencing the Prohibited Armed Persons File. If the purchaser or transferee is prohibited from owning or possessing a firearm, the transaction shall be denied.

(c) A vendor is prohibited from providing a purchaser or transferee ammunition without department approval. If a vendor cannot electronically verify a person's eligibility to purchase or possess ammunition via an Internet connection, the department shall provide a phone line to verify eligibility. This option is available to ammunition vendors who can demonstrate legitimate geographical and telecommunications limitations in submitting

1 the information electronically, and who are approved by the  
2 department to use the phone line verification.

3 (d) The department shall recover the reasonable cost of  
4 regulatory and enforcement activities related to this section by  
5 charging ammunition purchasers a per-transaction fee not to  
6 exceed one dollar (\$1), provided, however, that the fees may be  
7 increased at a rate not to exceed any increases in the California  
8 Consumer Price Index as compiled and reported by the Department  
9 of Industrial Relations, not to exceed the reasonable regulatory  
10 costs. The fees shall be deposited in the Ammunition Special  
11 Account.

12 (e) This section shall not apply to the sale, delivery, or transfer  
13 of ammunition to any of the following, if properly identified prior  
14 to the delivery of the ammunition by the vendor:

15 (1) A firearms dealer licensed pursuant to Sections 26700 to  
16 26915, inclusive.

17 (2) A person who is on the centralized list of federal firearms  
18 licensees maintained by the department pursuant to Article 6  
19 (commencing with Section 28450) of Chapter 6 of Division 6.

20 (3) A gunsmith as defined in Section 16630.

21 (4) A wholesaler as defined in Section 17340.

22 (5) A manufacturer or importer of firearms or ammunition  
23 licensed pursuant to Chapter 44 (commencing with Section 921)  
24 of Title 18 of the United States Code, and the regulations issued  
25 pursuant thereto.

26 (6) An ammunition vendor.

27 (7) A person whose licensed premises are outside of this state  
28 and who is licensed as a dealer or collector of firearms pursuant  
29 to Chapter 44 (commencing with Section 921) of Title 18 of the  
30 United States Code and the regulations issued pursuant thereto.

31 (8) A person who is licensed as a collector of firearms pursuant  
32 to Chapter 44 (commencing with Section 921) of Title 18 of the  
33 United States Code and the regulations issued pursuant thereto,  
34 whose licensed premises are within this state, and who has a  
35 current certificate of eligibility issued by the department pursuant  
36 to Section 26710.

37 (9) An authorized law enforcement representative of a city,  
38 county, city and county, or state or federal government, if the sale  
39 or other transfer is for exclusive use by that government agency,  
40 and, prior to the sale, delivery, or transfer of the ammunition,



1 written authorization from the head of the agency authorizing the  
2 transaction is presented to the person from whom the purchase,  
3 delivery, or transfer is being made. Proper written authorization  
4 is defined as verifiable written certification from the head of the  
5 agency, or designee, by which the purchaser, transferee, or person  
6 otherwise acquiring ownership is employed, identifying the  
7 employee as an individual authorized to conduct the transaction,  
8 and authorizing the transaction for the exclusive use of the agency  
9 by which that individual is employed.

10 (10) A properly identified sworn peace officer, as defined in  
11 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2  
12 or properly identified sworn member of a federal law enforcement  
13 agency who is authorized to carry a firearm in the course and  
14 scope of the officer's duties.

15 (11) A target facility that holds a business or regulatory license.

16 (12) A person who purchases or receives ammunition at a target  
17 facility holding a business or other regulatory license, provided  
18 that the ammunition is at all times kept within the facility's  
19 premises and used on the premises.

20 (13) A commercial hunting club, as defined in Section 3240.5  
21 of the Fish and Game Code.

22 (14) A domesticated game bird hunting club, pursuant to Section  
23 3270 of the Fish and Game Code.

24 (15) A domesticated migratory game bird shooting club,  
25 pursuant to Article 4 (commencing with Section 3300) of Chapter  
26 2 of Part 1 of Division 4 of the Fish and Game Code.

27 (16) A participant at a shooting or hunting event conducted by  
28 any of the following:

29 (A) A commercial hunting club, as defined in Section 3240.5 of  
30 the Fish and Game Code, provided the ammunition is used and  
31 consumed on the licensed premises while engaged in lawful hunting  
32 activity.

33 (B) A domesticated game bird hunting club, pursuant to Section  
34 3270 of the Fish and Game Code, provided the ammunition is used  
35 and consumed on the licensed premises while engaged in lawful  
36 hunting activity.

37 (C) A domesticated migratory game bird shooting club, pursuant  
38 to Article 4 (commencing with Section 3300) of Chapter 2 of Part  
39 1 of Division 4 of the Fish and Game Code, provided the

1 *ammunition is used and consumed on the licensed premises while*  
2 *engaged in lawful hunting activity.*

3 *(17) A nonprofit mutual or public benefit corporation organized*  
4 *pursuant to the Corporations Code that engages in recreational*  
5 *shooting and lawful hunting activity.*

6 *(18) A participant at a shooting or hunting event conducted by*  
7 *a nonprofit mutual or public benefit corporation organized*  
8 *pursuant to the Corporations Code that engages in recreational*  
9 *shooting or lawful hunting activity provided that the ammunition*  
10 *is used and consumed during the event.*

11 *(19) A person who is authorized to carry loaded firearms*  
12 *pursuant to Section 25900, 25905, 25910, 25925, 26010, 26015,*  
13 *26025 or 26030.*

14 *(20) A holder of a special weapons permit issued by the*  
15 *department pursuant to Section 32650 or 33300, pursuant to Article*  
16 *3 (commencing with Section 18900) of Chapter 1 of Division 5 of*  
17 *Title 2, or pursuant to Article 4 (commencing with Section 32700)*  
18 *of Chapter 6.*

19 *(21) A holder of a valid entertainment firearms permit issued*  
20 *pursuant to Chapter 2 (commencing with Section 29500) of*  
21 *Division 8.*

22 *(22) A person authorized by the department pursuant to Section*  
23 *30357.*

24 *30357. The department shall develop a procedure in which a*  
25 *person who is not prohibited from purchasing or possessing*  
26 *ammunition may be approved for a single ammunition transaction*  
27 *or purchase. The Department shall recover the cost of processing,*  
28 *regulatory, and enforcement activities related to this section, by*  
29 *charging the ammunition transaction or purchase applicant a fee*  
30 *not to exceed the fee charged for the Department's Dealer Record*  
31 *of Sale (DROS) process, as described in Section 28225, and not*  
32 *to exceed the department's reasonable costs.*

33 *SEC. 12. Article 5 (commencing with Section 30360) is added*  
34 *to Chapter 1 of Division 10 of Title 4 of Part 6 of the Penal Code,*  
35 *to read:*

36  
37 *Article 5. Ammunition Sales*  
38

39 *30360. (a) Any person who violates any provision of this article*  
40 *is guilty of a misdemeanor, punishable by imprisonment in a county*

1 jail not exceeding one year; or a fine not exceeding one thousand  
2 dollars (\$1,000), or by both that fine and imprisonment.

3 (b) The provisions of this article are cumulative, and shall not  
4 be construed as restricting the application of any other law.  
5 However, an act or omission punishable in different ways by  
6 different provisions of law shall not be punished under more than  
7 one provision.

8 30362. A vendor shall not permit any employee who the vendor  
9 knows or reasonably should know is a person described in Chapter  
10 2 (commencing with Section 29800) or Chapter 3 (commencing  
11 with Section 29900) of Division 9 of this title, or Section 8100 or  
12 8103 of the Welfare and Institutions Code, to handle, sell, or  
13 deliver ammunition or deliver or have under his or her custody or  
14 control, ammunition in the course and scope of employment.

15 30363. A vendor shall not sell or otherwise transfer ownership  
16 of, offer for sale, or otherwise offer to transfer ownership of,  
17 display for sale, or display for transfer any ammunition in a  
18 manner that allows that ammunition to be accessible to a purchaser  
19 or transferee without the assistance of the vendor or an employee  
20 of the vendor.

21 30364. (a) The sale, delivery, or transfer of ammunition may  
22 only occur in a face-to-face transaction with the seller, deliverer,  
23 or transferor being provided bona fide evidence of identity from  
24 the purchaser or other transferee, provided, however, that  
25 ammunition may be purchased over the Internet or through other  
26 means of remote ordering if an ammunition vendor in this state  
27 initially receives the ammunition and processes the transfer in  
28 compliance with this article, Article 3 (commencing with Section  
29 30345), and Article 4 (commencing with Section 30355). An  
30 ammunition vendor is required to promptly and properly process  
31 those transactions. An ammunition vendor may charge a fee to  
32 process the transfer not to exceed ten dollars (\$10) per transaction.  
33 An ammunition vendor is not required to house ammunition orders  
34 longer than 30 days.

35 (b) Subdivision (a) shall not apply to or affect the sale, delivery,  
36 or transfer of ammunition to any of the following:

37 (1) A firearms dealer licensed pursuant to Sections 26700 to  
38 26915, inclusive.

39 (2) A person who is on the centralized list of federal firearms  
40 licensees maintained by the Department of Justice pursuant to

1 Article 6 (commencing with Section 28450) of Chapter 6 of  
2 Division 6.

3 (3) A gunsmith as defined in Section 16630.

4 (4) A wholesaler as defined in Section 17340.

5 (5) A manufacturer or importer of firearms or ammunition  
6 licensed pursuant to Chapter 44 (commencing with Section 921)  
7 of Title 18 of the United States Code, and the regulations issued  
8 pursuant thereto.

9 (6) An ammunition vendor.

10 (7) A person whose licensed premises are outside this state and  
11 who is licensed as a dealer or collector of firearms pursuant to  
12 Chapter 44 (commencing with Section 921) of Title 18 of the United  
13 States Code and the regulations issued pursuant thereto.

14 (8) A person who is licensed as a collector of firearms pursuant  
15 to Chapter 44 (commencing with Section 921) of Title 18 of the  
16 United States Code and the regulations issued pursuant thereto,  
17 whose licensed premises are within this state, and who has a  
18 current certificate of eligibility issued by the Department of Justice  
19 pursuant to Section 26710.

20 (9) An authorized law enforcement representative of a city,  
21 county, city and county, or state or federal government, if the sale,  
22 delivery, or other transfer is for exclusive use by that government  
23 agency and, prior to the sale, delivery, or transfer of the  
24 ammunition, written authorization is received from the head of  
25 the agency, or designee, by which the purchaser, transferee, or  
26 person otherwise acquiring ownership is employed, identifying  
27 the employee as an individual authorized to conduct the  
28 transaction, and authorizing the transaction for the exclusive use  
29 of the agency employing the individual.

30 (10) A properly identified sworn peace officer, as defined in  
31 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2,  
32 or properly identified sworn member of a federal law enforcement  
33 agency who is authorized to carry a firearm in the course and  
34 scope of the officer's duties.

35 (11) A target facility holding a business or other regulatory  
36 license.

37 (12) A commercial hunting club, as defined in Section 3240.5  
38 of the Fish and Game Code.

39 (13) A domesticated game bird hunting club, pursuant to Section  
40 3270 of the Fish and Game Code.

1     (14) A domesticated migratory game bird shooting club,  
2     pursuant to Article 4 (commencing with Section 3300) of Chapter  
3     2 of Part 1 of Division 4 of the Fish and Game Code.

4     (15) A nonprofit mutual or public benefit corporation organized  
5     pursuant to the Corporations Code that engages in recreational  
6     shooting and lawful hunting activity.

7     (16) A consultant-evaluator.

8     (17) A contract or common carrier or an authorized agent or  
9     employee thereof, when acting in conformance with applicable  
10    federal law.

11    30365. (a) Except as provided in subdivision (b), the sale of  
12    ammunition shall be conducted at the location specified in the  
13    license.

14    (b) A vendor may sell ammunition at a gun show or event, as  
15    described in Chapter 3 (commencing with Section 27200) of  
16    Division 6, if the gun show or event is not conducted from any  
17    motorized or towed vehicle.

18    (c) Sales of ammunition at a gun show or event shall comply  
19    with Sections 30345, 30356, 30369, and 30370.

20    30366. (a) When neither party in an ammunition sale is a  
21    vendor, the following shall apply:

22    (1) The seller shall deliver the ammunition to a vendor to  
23    process the transaction.

24    (2) The vendor shall then promptly and properly deliver the  
25    ammunition to the purchaser, if the sale is not prohibited, as if the  
26    ammunition were the vendor's own merchandise.

27    (3) If the vendor cannot legally deliver the ammunition to the  
28    purchaser, the vendor shall forthwith return the ammunition to  
29    the seller. This return is not subject to Section 30356.

30    (b) The vendor may charge the purchaser an administrative fee  
31    to process the transaction, not to exceed ten dollars (\$10) per  
32    transaction processed.

33    (c) A person selling ammunition pursuant to this section is  
34    exempt from the requirement to be licensed pursuant to Section  
35    30345.

36    30367. (a) Notwithstanding Sections 30345 and 30366, the  
37    sale of ammunition between the following is authorized so long  
38    as it does not exceed fifty (50) rounds per month:

39    (1) The sale of ammunition between licensed hunters while  
40    engaged in lawful hunting activity.

1     (2) *The sale of ammunition between immediate family members,*  
2 *spouses, or registered domestic partners.*

3     (b) *Notwithstanding Sections 30345 and 30366, the sale of*  
4 *ammunition by a private individual to an authorized representative*  
5 *of a city, city and county, county, state, or the federal government,*  
6 *as part of a voluntary program is authorized.*

7     (c) *Ammunition acquired pursuant to subdivision (b) shall be*  
8 *disposed of in the same manner as set forth for firearms in Sections*  
9 *18000, 18005, or 34000.*

10     30368. (a) *Commencing July 1, 2019, a resident of this state*  
11 *shall not bring or transport into this state any ammunition that he*  
12 *or she purchased from outside of this state unless he or she first*  
13 *has that ammunition delivered to an ammunition vendor in this*  
14 *state for delivery to that resident pursuant to the procedures set*  
15 *forth in Section 30366.*

16     (b) *Subdivision (a) does not apply to any of the following*  
17 *bringing or transporting into this state any ammunition:*

18         (1) *A firearms dealer licensed pursuant to Sections 26700 to*  
19 *26915, inclusive.*

20         (2) *A person who is on the centralized list of federal firearms*  
21 *licensees maintained by the department pursuant to Article 6*  
22 *(commencing with Section 28450) of Chapter 6 of Division 6.*

23         (3) *A gunsmith as defined in Section 16630.*

24         (4) *A wholesaler as defined in Section 17340.*

25         (5) *A manufacturer or importer of firearms or ammunition*  
26 *licensed pursuant to Chapter 44 (commencing with Section 921)*  
27 *of Title 18 of the United States Code, and the regulations issued*  
28 *pursuant thereto.*

29         (6) *An ammunition vendor.*

30         (7) *A person who is licensed as a collector of firearms pursuant*  
31 *to Chapter 44 (commencing with Section 921) of Title 18 of the*  
32 *United States Code and the regulations issued pursuant thereto,*  
33 *whose licensed premises are within this state, and who has a*  
34 *current certificate of eligibility issued by the Department of Justice*  
35 *pursuant to Section 26710.*

36         (8) *Authorized law enforcement representatives of cities,*  
37 *counties, cities and counties, or state or federal governments for*  
38 *exclusive use by those government agencies if, prior to the*  
39 *importation, the person has written authorization from the head*  
40 *of the agency authorizing the acquisition of that ammunition.*

1 *Proper written authorization is defined as verifiable written*  
2 *certification from the head of the agency, or designee, by which*  
3 *the person is employed, identifying the employee as an individual*  
4 *authorized to acquire and import ammunition, and authorizing*  
5 *the transaction for the exclusive use of the agency by which he or*  
6 *she is employed.*

7 *(9) A properly identified sworn peace officer, as defined in*  
8 *Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2,*  
9 *or properly identified sworn member of a federal law enforcement*  
10 *agency who is authorized to carry a firearm in the course and*  
11 *scope of the officer's duties.*

12 *(10) A contract or common carrier or an authorized agent or*  
13 *employee thereof, when acting in conformity with applicable*  
14 *federal law.*

15 *(11) A person who purchases the ammunition from an immediate*  
16 *family member, spouse, or registered domestic partner if the person*  
17 *brings or transports into this state no more than 50 rounds.*

18 *(12) The executor or administrator of an estate that includes*  
19 *ammunition.*

20 *(13) A person that at the time he or she acquired the ammunition*  
21 *was not a resident of this state.*

22 *(14) Ammunition that is imported into this country pursuant to*  
23 *provisions of Section 925(a)(4) of Title 18 of the United States*  
24 *Code.*

25 *(15) A licensed hunter who purchased the ammunition outside*  
26 *of this state for use in a lawful hunting activity that occurred*  
27 *outside of this state if the person brings or imports no more than*  
28 *50 rounds into this state and the ammunition is designed and*  
29 *intended for use in the firearm the hunter used in that hunting*  
30 *activity.*

31 *(16) A person who attended and participated in an organized*  
32 *competitive match or league competition that involves the use of*  
33 *firearms in a match or competition; sponsored by, conducted under*  
34 *the auspices of, or approved by, a law enforcement agency or a*  
35 *nationally or state recognized entity that fosters proficiency in, or*  
36 *promotes education about, firearms, and the person brings or*  
37 *imports into this state no more than 50 rounds of ammunition*  
38 *designed and intended to be used in the firearm the person used*  
39 *in the match or competition.*

1     30369. (a) Commencing July 1, 2019, a vendor shall not sell  
2     or otherwise transfer ownership of any ammunition without, at  
3     the time of delivery, legibly recording the following information:

4     (1) The purchaser's full name.

5     (2) The purchaser's or transferee's driver's license or other  
6     identification number and the state in which it was issued

7     (3) The date of the sale or other transaction.

8     (4) The brand, type, and amount of ammunition sold or  
9     otherwise transferred.

10    (5) The name of the salesperson who processed the sale or other  
11    transaction.

12    (6) The purchaser's or transferee's full residential address and  
13    telephone number.

14    (7) The purchaser's or transferee's date of birth.

15    (b) Commencing July 1, 2019, the vendor shall electronically  
16    submit to the department the information required by subdivision  
17    (a) in a format and a manner prescribed by the department for all  
18    sales or other transfers of ammunition. The department shall retain  
19    this information for two years in a database to be known as the  
20    Ammunition Purchase Records File for the sole purpose of aiding  
21    and assisting local and state law enforcement agencies in an active  
22    investigation. The vendor shall not share any of the information  
23    required by subdivision (a) for any reason other than for authorized  
24    law enforcement purposes. The information in the Ammunition  
25    Purchase Records File may be accessed by a state or local law  
26    enforcement agency only if the department is provided a case  
27    number or other sufficient information as determined by the  
28    department that indicates an active investigation, and the  
29    information sought is for the investigation or prosecution of that  
30    case.

31    (c) In the case that a vendor cannot submit the information  
32    required by subdivision (a) electronically via an Internet  
33    connection, the department shall provide a telephone line to submit  
34    the information if the vendor can demonstrate legitimate  
35    geographic and telecommunications limitations to submitting the  
36    information electronically, and the department approves the  
37    vendor's use of the telephone line.

38    (d) This section shall not apply to or affect sales or other  
39    transfers of ammunition by ammunition vendors to any of the  
40    following, if properly identified:



1     (1) A firearms dealer licensed pursuant to Sections 26700 to  
2     26915, inclusive.

3     (2) A person who is on the centralized list of federal firearms  
4     licensees maintained by the department pursuant to Article 6  
5     (commencing with Section 28450) of Chapter 6 of Division 6.

6     (3) A gunsmith as defined in Section 16630.

7     (4) A wholesaler as defined in Section 17340.

8     (5) A manufacturer or importer of firearms licensed pursuant  
9     to Chapter 44 (commencing with Section 921) of Title 18 of the  
10    United States Code, and the regulations issued pursuant thereto.

11    (6) An ammunition vendor.

12    (7) An authorized law enforcement representative of a city,  
13    county, city and county, or state or federal government, if the sale  
14    or other transfer is for exclusive use by that government agency,  
15    and, prior to the sale, delivery, or transfer of the ammunition,  
16    written authorization from the head of the agency, or designee,  
17    authorizing the transaction is presented to the person from whom  
18    the purchase, delivery, or transfer is being made. Proper written  
19    authorization is defined as verifiable written certification from the  
20    head of the agency, or designee, by which the purchaser,  
21    transferee, or person otherwise acquiring ownership is employed,  
22    identifying the employee as an individual authorized to conduct  
23    the transaction, and authorizing the transaction for the exclusive  
24    use of the agency by which that individual is employed.

25    (8) A properly identified sworn peace officer, as defined in  
26    Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2,  
27    or properly identified sworn member of a federal law enforcement  
28    agency who is authorized to carry a firearm in the course and  
29    scope of the officer's duties.

30    (9) A target facility that holds a business or regulatory license.

31    (10) A person who purchases or receives ammunition at a target  
32    facility holding a business or other regulatory license, provided  
33    that the ammunition is at all times kept within the facility's  
34    premises and used on the premises.

35    (11) A commercial hunting club, as defined in Section 3240.5  
36    of the Fish and Game Code.

37    (12) A domesticated game bird hunting club, pursuant to Section  
38    3270 of the Fish and Game Code.

1     (13) A domesticated migratory game bird shooting club,  
2     pursuant to Article 4 (commencing with Section 3300) of Chapter  
3     2 of Part 1 of Division 4 of the Fish and Game Code.

4     (14) A participant at a shooting or hunting event conducted by  
5     any of the following:

6     (A) A commercial hunting club, as defined in Section 3240.5 of  
7     the Fish and Game Code, provided the ammunition is used and  
8     consumed on the licensed premises while engaged in lawful hunting  
9     activity.

10    (B) A domesticated game bird hunting club, pursuant to Section  
11    3270 of the Fish and Game Code, provided the ammunition is used  
12    and consumed on the licensed premises while engaged in lawful  
13    hunting activity.

14    (C) A domesticated migratory game bird shooting club, pursuant  
15    to Article 4 (commencing with Section 3300) of Chapter 2 of Part  
16    1 of Division 4 of the Fish and Game Code, provided the  
17    ammunition is used and consumed on the licensed premises while  
18    engaged in lawful hunting activity.

19    (15) A nonprofit mutual or public benefit corporation organized  
20    pursuant to the Corporations Code that engages in recreational  
21    shooting and lawful hunting activity.

22    (16) A participant at a shooting or hunting event conducted by  
23    a nonprofit mutual or public benefit corporation organized  
24    pursuant to the Corporations Code that engages in recreational  
25    shooting or lawful hunting activity provided that the ammunition  
26    is used and consumed during the event.

27    30370. A vendor shall not knowingly make a false entry in, or  
28    fail to make a required entry of information in accordance with  
29    Section 30369.

30    SEC. 13. No reimbursement is required by this act pursuant  
31    to Section 6 of Article XIII B of the California Constitution for  
32    certain costs that may be incurred by a local agency or school  
33    district because, in that regard, this act creates a new crime or  
34    infraction, eliminates a crime or infraction, or changes the penalty  
35    for a crime or infraction, within the meaning of Section 17556 of  
36    the Government Code, or changes the definition of a crime within  
37    the meaning of Section 6 of Article XIII B of the California  
38    Constitution.

39    However, if the Commission on State Mandates determines that  
40    this act contains other costs mandated by the state, reimbursement

1 *to local agencies and school districts for those costs shall be made*  
2 *pursuant to Part 7 (commencing with Section 17500) of Division*  
3 *4 of Title 2 of the Government Code.*

4 *SEC. 14. The Legislature finds and declares that Section 12*  
5 *of this act, which adds Section 30369 to the Penal Code, imposes*  
6 *a limitation on the public's right of access to the meetings of public*  
7 *bodies or the writings of public officials and agencies within the*  
8 *meaning of Section 3 of Article I of the California Constitution.*  
9 *Pursuant to that constitutional provision, the Legislature makes*  
10 *the following findings to demonstrate the interest protected by this*  
11 *limitation and the need for protecting that interest:*

12 *In order to protect the personal information of ammunition*  
13 *purchasers, it is necessary that this act limit the public's right of*  
14 *access to that information.*